



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, OCTOBER 25 , 2006

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Susan Walton, Principal Planner

Mike Enderby, Acting Principal Planner

**Joseph Horwedel, Acting Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **October 25, 2006**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

- a. **SF06-018. Single Family House Permit** to demolish an existing single-family detached residence and construct a new two-story single-family detached residence containing 3,991 square feet with a floor area ratio (FAR) of 69.2 percent on a 0.13 gross acre site in the R-2 Two-Family Residence Zoning District, located on the east side of N. 15th Street approximately 450 feet south of Jackson Street (548 N. 15th ST) (Garcia Epimenio And Rita, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt **Defer to 11/08/06.**

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **PDA77-048-01. Tree Removal Permit** application to remove two Eucalyptus Trees, 72" and 96" in circumference, on a 1 acre lot in the R-M(PD) Planned Development Zoning District, located on the east side of Monterey Road, approximately 1,500 feet northerly of Blossom Hill Road (5330 MONTEREY RD) (Northwind Properties Ltd, Owner). Council District 2. CEQA: Exempt.
- b. **SP06-052. Special Use Permit** to install a 20 KW standby/back-up generator atop the roof of an existing financial institution on a 6.99 gross acre site in the CG General Commercial Zoning District, located on the south side Blossom Hill Road approximately 450 feet east of Almaden Expressway (1090 BLOSSOM HILL RD) (Berwick Andrew S Jr And Phyllis E Trustee &, Owner). Council District 10. SNI: None. CEQA: Exempt.
- c. **PDA85-038-01. Planned Development Permit Amendment** for removal of 1 Stone Pine Tree, approximately 71 inches in circumference on a 1.37 gross acre site in the A(PD) Planned Development Zoning District, located at the southwest corner of Floyd Avenue and Palm Street (Palmwood Terrace HOA, Owner). Council District 3. CEQA: Exempt.
- d. **PDA71-026-01. Tree Removal Permit** to allow removal of 6 dead trees and one live tree in the common area of a multi-family development in the R-1-8(PD) Planned Development

Zoning District, located at/on the northeast corner of Jackson Avenue and Mabury Road (Ponderosa Towne Homes Association, owner). Council District 4. CEQA: Exempt.

- e. **SP06-061. Special Use Permit** to allow a warehouse use and cabinet manufacturing in a 6,010 square foot industrial condominium unit (located in building 7) in the IP Industrial Park Zoning District, located at 966 Rincon Circle (easterly terminus of Rincon Circle) (CDMJ Inc, Owner). Council District 4. SNI: None. CEQA: Exempt.
- f. **SP06-066. Wireless - Special Use Permit** to install a new 60 foot tall slimline monopole and approximately 400 sq.ft. associated equipment shelter on a 6.99 gross acre site in the A - Agricultural Zoning District, located at the northern corner of Monterey Road and Bernal Road (6010 MONTEREY RD) (Caltrans, Owner). Council District 2. SNI: None. CEQA: Exempt.
- g. **HA05-014-02. Site Development Permit Amendment** to renovate and enlarge an existing Building 104 by 430 square feet; renovate the existing podium slab and associated landscape planters; and remove Buildings 102, 106, 108, and 109 on a 6.9 gross acres site in the DC Downtown Primary Commercial Zoning District, located at the northeast corner of Park Avenue and Almaden Blvd (104 PARK CENTER PLAZA) (SJ Plaza LLC, Owner). Council District 3. SNI: None. CEQA: Exempt

The consent calendar is now closed.

3. PUBLIC HEARING

- a. The projects being considered are located on the north side of West San Carlos Street, 650 feet westerly of Meridian Avenue (1465 W SAN CARLOS ST), in the A(PD) Planned Development Zoning District (MULLER INVESTMENT CO, Owner). Council District 6. SNI: Burbank/Del Monte. CEQA: Mitigated Negative Declaration. **Deferred from 10/18/06**
 - 1. **PD06-042. Planned Development Permit** request to allow demolition of an existing restaurant and mixed use building and construction of 11 live-work units and 84 single-family attached residential units, and associated site improvement on a 5.02 gross acre site.
 - 2. **PT06-078. Vesting Planned Development Tentative Map** to subdivide six parcels into 20 lots for 11 live-work and 84 single-family attached residential units on a 5.02 gross acre site.
- b. **TR06-119. Tree Removal Permit** to remove two Date Palm trees 108 inches and 84 inches in circumference on a 0.12 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 452 Atlanta Avenue (Workman Steven And Madlyn, Owner). Council District 6. CEQA: Exempt.
- c. **PT06-060. Planned Development Tentative Map Permit** to subdivide 1 parcel into 5 lots for single-family detached residential units on a 0.36 gross acre site in the A(PD) Planned Development Zoning District, located at/on the south side of West Taylor Street approximately 230 feet easterly of Elm Street (846 W TAYLOR ST) (Kim Chong Kil And Mi Ja, Kim Development Mr Alex Kim, Owner). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration.
- d. **PD06-029. Planned Development Permit** request to allow 110 single-family attached residential units in a podium building on a 10.66 gross acre site in the A(PD) Planned Development Zoning District, located on the northeast corner of Baton Rouge Drive and

Cedarville Lane (781 N CAPITOL AV) (Blossom Valley Investors, Owner). Council District 4. SNI: None. CEQA: Mitigated Negative Declaration.

- e. The projects being considered are located at/on north side of Cherry Avenue, approximately 1,000 feet westerly of Almaden Expressway (4970 CHERRY AV), in the R-M(PD) Planned Development Zoning District (4970 CHERRY AVENUE OWNER, LLC, Owner; GOLD COAST MATT TANZI, Developer). Council District 9. SNI: None. CEQA: Exempt.
 - 1. **PDA78-073-01. Planned Development Permit Amendment** to convert an existing 32-unit apartment complex to condominium ownership on a 1.38 gross acre site.
 - 2. **PT06-068. Planned Development Tentative Map** to allow a one-lot subdivision for condominium purposes on a 1.38 gross acre site.
- f. **T06-080. Tentative Map Permit** to reconfigure one parcel into one lot for three residential condominium units on a 0.17 gross acre site in the R-M Multiple Residence Zoning District, located on the east side of South 19th Street, approximately 140 feet northeasterly of San Fernando Street (70 S. 19th Street) (Truong Phong, Owner). Council District 3. SNI: Five Wounds/Brookwood Terrace. CEQA: Exempt.
- g. **TR06-159. Tree Removal Permit** for removal of one Pine tree 67 inches in circumference from the common area of a private swim club on a 0.17 gross acre site in the R-1-5 Single-Family Residence Zoning District, located at the northwest corner of Shadow Brook Drive and Almaden Expressway (1079 SHADOW BROOK DR) (Shadow Brook Swim Club, Owner). Council District 10. CEQA: Exempt
- h. **TR06-156. Tree Removal Permit** to remove one Palm tree 75 inches in circumference from the front yard of an existing single-family residence on a 0.14 gross acre site in the A(PD) Planned Development Zoning District, located at/on the 5302 Avenida Almendros (Reuter Carina C, Owner). Council District 10. CEQA: Exempt.
- i. **H06-028. Site Development Permit** to convert an existing single-family residence to a two-family dwelling by constructing an addition containing approximately 2,523 square feet on a 0.24 gross acre site in the R-2 Two-Family Residence Zoning District, located at/on the east side of North 33rd Street, approximately 200 feet northerly of East St. James Street (242 N 33RD ST) (Amarante Luis C And Diamantina S Trustee, Owner). Council District 3. SNI: Five Wounds/Brookwood Terrace. CEQA: Exempt.
- j. The projects being considered are located on the northwest corner of Olsen Drive and Hatton Street (378 SANTANA ROW), in the A(PD) Planned Development Zoning District (FRIT San Jose Town & Country Village, LLC, David Bouquillon, Owner/Developer). Council District 6. SNI: None. CEQA: Final Town and Country Village EIR, EIR Resolution No. 68210.
 - 1. **PD05-066. Planned Development Permit** to construct 238 residential units (Building 8B) at Santana Row on a 4.095 gross acre site.
 - 2. **PT06-082. Vesting Planned Tentative Map Permit** to subdivide 39 parcels into 244 lots for 238 single-family condominium and parking structure uses on a 4.09 gross acre site.

This concludes the Planning Director's Hearing for, October 25 2006. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/default.asp>
PUBLIC INFORMATION COUNTER
(408) 535-7800 CITY OF SAN JOSE